

# HOUSE . . . . . No. 109

By Mr. Larkin of Pittsfield, petition of Peter J. Larkin and others relative to political campaign broadcasting on radio and television stations and regulating certain campaign expenditures. Election Laws.

## The Commonwealth of Massachusetts

### PETITION OF:

Peter J. Larkin	Alice Hanlon Peisch
Patricia D. Jehlen	Martha M. Walz
Matthew C. Patrick	

In the Year Two Thousand and Five.

AN ACT PROVIDING FOR FREE AIR TIME FOR CERTAIN POLITICAL CANDIDATES.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 Chapter 50 of the General Laws is hereby amended by adding  
2 the following section:—

3 Section 8. All radio and television stations broadcasting in the  
4 commonwealth shall air a minimum of 2 hours per-week of candi-  
5 date centered programming for a total 6 weeks preceding a pri-  
6 mary or general state election at least 4 of which shall be  
7 immediately preceding the general election. At least half the seg-  
8 ments shall air between 5 PM and 11:35 PM and no segment that  
9 airs between midnight and 6 AM shall count towards meeting the  
10 requirements hereof.

11 For the purpose of this section the following terms shall have  
12 the following meanings:—

13 “Candidate Centered Programming”, including debates, inter-  
14 views, candidate statements and other news or public affairs for-  
15 mats that provide for a discussion of issues by candidates; it does  
16 not include paid political advertisements.

17 “Issue Centered Programming”, refers to debates, interviews  
18 and other formats that provide for a discussion of ballot measures

19 on the ballot in the forthcoming election. It does not include paid  
20 political ads.

21 Stations shall retain editorial control over the segments they air  
22 and shall decide the placement and duration of each segment.  
23 Only candidates that meet the following requirement shall qualify  
24 for participation in the programming.

25 Not all political candidates would be eligible for this system.  
26 Candidates would qualify for the system as follows:

27 (A) House of Representatives Candidates — For candidates for  
28 election to the State Representatives, that —

29 “(i) the individual has received at least \$5,000 in contributions  
30 from individuals, not counting any amount less than \$25 and any  
31 amount in excess of \$250 from any individual or political com-  
32 mittee.”

33 “(ii) the individual faces opposition in the primary or general  
34 election from at least 1 other candidate who has received contribu-  
35 tions of at least \$5,000 from individuals, not counting any amount  
36 less than \$25 and any amount in excess of \$250.” (B) Senate Can-  
37 didates — For candidates for election to the State Senate, that —

38 “(i) the individual has received at least \$15,000 in contributions  
39 from individuals, not counting any amount less than \$25 and any  
40 amount in excess of \$250 from any individual or political com-  
41 mittee.”

42 “(ii) the individual faces opposition in the primary or general  
43 election from at least 1 other candidate who has received contribu-  
44 tions of at least \$15,000 from individuals, not counting any  
45 amount less than \$25 and any amount in excess of \$250.”

46 (C) Councillor Candidates — For candidates for election to the  
47 Governor’s Council, that —

48 “(i) the individual has received at least \$12,000 in contributions  
49 from individuals, not counting any amount less than \$25 and any  
50 amount in excess of \$250 from any individual or political com-  
51 mittee.”

52 “(ii) the individual faces opposition in the primary or general  
53 election from at least 1 other candidate who has received contribu-  
54 tions of at least \$12,000 from individuals, not counting any  
55 amount less than \$50 and any amount in excess of \$250.”

56 (D) Auditor Candidates — For candidates for election to  
57 Auditor, that —

58 “(i) the individual has received at least \$150,000 in contribu-  
59 tions from individuals, not counting any amount less than \$50 and  
60 any amount in excess of \$250 from any individual or political  
61 committee.”

62 “(ii) the individual faces opposition in the primary or general  
63 election from at least 1 other candidate who has received contribu-  
64 tions of at least \$150,000 from individuals, not counting any  
65 amount less than \$25 and any amount in excess of \$250.”

66 (E) State Secretary — For candidates for election to State Sec-  
67 retary, that —

68 “(i) the individual has received at least \$150,000 in contribu-  
69 tions from individuals, not counting any amount less than \$25 and  
70 any amount in excess of \$250 from any individual or political  
71 committee.”

72 “(ii) the individual faces opposition in the primary or general  
73 election from at least 1 other candidate who has received contribu-  
74 tions of at least \$150,000 from individuals, not counting any  
75 amount less than \$25 and any amount in excess of \$250.”

76 (F) Treasurer and Receiver General — For candidates for elec-  
77 tion for Treasurer and Receiver General, that —

78 “the individual has received at least \$300,000 in contributions  
79 from individuals, not counting any amount less than \$25 and any  
80 amount in excess of \$250 from any individual or political com-  
81 mittee.”

82 “(ii) the individual faces opposition in the primary or general  
83 election from at least 1 other candidate who has received contribu-  
84 tions of at least \$300,000 from individuals, not counting any  
85 amount less than \$25 and any amount in excess of \$250.”

86 (G) Attorney General — For candidates for election for  
87 Attorney General, that —

88 “(i) the individual has received at least \$300,000 in contribu-  
89 tions from individuals, not counting any amounts less than \$25  
90 and any amount in excess of \$250 from any individual or political  
91 committee.”

92 “(ii) the individual faces opposition in the primary or general  
93 election from at least 1 other candidate who has received contribu-  
94 tions of at least \$300,000 from individuals, not counting any  
95 amount less than \$25 and any amount in excess of \$250.”

96 (H) Lieutenant Governor — For candidates for election for  
97 Lieutenant Governor, that

98 “(i) the individual has received at least \$300,000 in contribu-  
99 tions from individuals, not counting any amounts less than \$25  
100 and any amount in excess of \$250 from any individual or political  
101 committee.”

102 “(ii) the individual faces opposition in the primary or general  
103 election from at least 1 other candidate who has received contribu-  
104 tions of at least \$5,000 from individuals, not counting any amount  
105 less than \$25 and any amount in excess of \$250.”

106 (I) Governor — For candidates for election for Governor, that

107 “(i) the individual has received at least \$600,000 in contribu-  
108 tions from individuals, not counting any amounts less than \$25  
109 and any amount in excess of \$250 from any individual or political  
110 committee.”

111 “(ii) the individual faces opposition in the primary or general  
112 election from at least 1 other candidate who has received contribu-  
113 tions of at least \$600,000 from individuals, not counting any  
114 amount less than \$25 and any amount in excess of \$250.”

115 (J) Ballot Question Committees — For committees in support  
116 of or in opposition to statewide ballot questions, that

117 “(i) the ballot question committee has received at least  
118 \$150,000 in contributions from individuals, not counting any  
119 amounts less than \$25 and any amount in excess of \$250 from any  
120 individual or political committee.”

121 In addition to the above 50% of the funds raised by a candidate  
122 for state representatives, state senator and executive councilor  
123 shall be raised from residents of the district from which election is  
124 sought. Money raised shall be used only for campaign purposes  
125 only provided, however, it may be used to defray the costs of a  
126 district office in non-election years and money may be raised for  
127 that purpose. The office of campaign and political finance shall  
128 enforce and oversee the implementation of this section.